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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/740,924	12/19/2000	Heino Hameleers	34645-00526USPX	5917

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EXAMINER	
HAN, CLEMENCE S	
ART UNIT	**PAPER NUMBER**
2665	

DATE MAILED: 06/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/740,924	Applicant(s) HAMELEERS ET AL.	
	Examiner Clemence Han	Art Unit 2665	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *12/19/2000*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-30* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-30* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Information Disclosure Statement

1. An initialed and dated copies of Applicant's IDS form 1449, Paper No. 5 and 6, are attached to the instant Office action.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claim 1–12, 15–19 and 22–30 are rejected under 35 U.S.C. 102(e) as being anticipated by Jorgensen (US Patent 6,680,922).

In regarding to claim 1, Jorgensen teaches a method of transporting physical objects comprising: transporting at least one physical object from a sending station 102b to a receiving station 110c (Column 32 Line 56–57); wherein the transport occurs through at least one physical router 140b; executing a decision about further parameters of transport to at least one of another physical router 140c and the receiving station (Column 47 Line 8–11); generating information for handling and moving the physical object (Column 15 Line 44–47); transferring the information

to a logical node 1502; using the information to handle and move the at least one physical object according to handling and moving of packets in a telecommunication protocol (Column 22 Line 1–8); and transferring by the logical node 1502 of the decision to at least one of the sending station 102b and the at least one physical router 140b (Column 30 Line 24–34).

In regarding to claim 2, Jorgensen teaches the information for handling the at least one physical object transmitted in logical packets (Column 15 Line 44–47).

In regarding to claim 3, Jorgensen teaches the information stored in a header of one logical packet (Column 15 Line 44–47).

In regarding to claim 4, Jorgensen teaches the logical node 1502 assigned to a physical guide 602 (Column 61 Line 16–33).

In regarding to claim 5, Jorgensen teaches at least one routing mechanism used (Column 31 Line 18–27).

In regarding to claim 6, Jorgensen teaches the routing performed within a network layer (Column 31 Line 18–27).

In regarding to claim 7, Jorgensen teaches an Internet Protocol used (Column 31 Line 18–27).

In regarding to claim 8, Jorgensen teaches a cell switching technology used (Column 34 Line 22–32).

In regarding to claim 9, Jorgensen teaches the cell switching performed in an asynchronous transfer mode (Column 34 Line 22–32).

In regarding to claim 10, Jorgensen teaches an Internet Control Message Protocols (ICMP) providing network services to a plurality of upper layers (Column 42 Line 7–23).

In regarding to claim 11, Jorgensen teaches Internet Protocol Addresses transferred to data link addresses (Column 42 Line 7–23).

In regarding to claim 12, Jorgensen teaches the Internet Protocol Addresses transferred to the Data Link Addresses according to an Address Resolution Protocol (Column 42 Line 7–23).

In regarding to claim 15, Jorgensen teaches a packet-scheduling algorithm used (Column 17 Line 38–49).

In regarding to claim 16, Jorgensen teaches packet-scheduling performed with weighted fair queuing (Column 17 Line 38–49).

In regarding to claim 17, Jorgensen teaches at least one virtual private network used (Column 36 Line 47–54).

In regarding to claim 18, Jorgensen teaches differentiated services used (Column 44 Line 27–35).

In regarding to claim 19, Jorgensen teaches a communication protocol signaling a router to reserve bandwidth for real-time transmission (Column 42 Line 45–47).

In regarding to claim 22, Jorgensen teaches a transmission control protocol used (Column 35 Line 11–16).

In regarding to claim 23, Jorgensen teaches a control protocol used (Column 35 Line 11–16).

In regarding to claim 24, Jorgensen teaches a real-time protocol used (Column 43–36–62).

In regarding to claim 25, Jorgensen teaches a movement of a logical packet and the at least one physical object synchronized (Column 20 Line 36–51).

In regarding to claim 26, Jorgensen teaches transportation system for transporting physical objects comprising: means to transport at least one physical object from a sending station 102b to a receiving station 110c (Column 32 Line 56–57); wherein the transport occurs through at least one physical router 140b, wherein the physical router executes a decision about further parameters of transport to at least one of another physical router 140c and the receiving station (Column 47 Line 8–11); wherein information for handling and moving the at least one physical object is generated and transferred to a logical node 1502 (Column 15

Line 44–47); wherein the information is used to handle and move the at least one physical object according to handling and moving of packets in a telecommunication protocol (Column 22 Line 1–8); and wherein the logical node 1502 transfers the decision to at least one of the sending station 102b and at least one physical router 140b (Column 30 Line 24–34).

In regarding to claim 27, Jorgensen teaches a transportation means adapted to transport at least one physical object between at least two of a sending station 102b, a receiving station 110c and a physical router 140b, wherein the transportation means executes the transport of the at least one physical object according to parameters transmitted according to at least one telecommunication protocol (Column 47 Line 8–11).

In regarding to claim 28, Jorgensen teaches a physical guide 602 adapted to execute a decision about parameters of transport to at least one of another physical router 140c and a receiving station 110c; wherein a logical node 1502 is assigned to the physical router, wherein information is transmitted according to at least one telecommunication protocol (Column 47 Line 8–11); and wherein the logical node takes the decision according to at least one telecommunication protocol (Column 22 Line 1–8).

In regarding to claim 29, Jorgensen teaches a computer program adapted to control a message for transporting physical objects; wherein the transport occurs through at least one physical router 140b wherein the physical router executes a decision about further parameters of transport (Column 47 Line 8–11); wherein the computer program takes the decision according to information for handling the physical object (Column 15 Line 44–47); and wherein the decision is taken according to at least one telecommunication protocol (Column 22 Line 1–8).

In regarding to claim 30, Jorgensen teaches loadable in a logical node (Column 62 Line 3–9).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claim 13, 14 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jorgensen in view of Doshi et al. (US Patent 6,529,499).

In regarding to claim 13, Jorgensen teaches a method of transporting physical objects comprising: transporting at least one physical object from a sending station 102b to a receiving station 110c (Column 32 Line 56–57); wherein

the transport occurs through at least one physical router 140b; executing a decision about further parameters of transport to at least one of another physical router 140c and the receiving station (Column 47 Line 8–11); generating information for handling and moving the physical object (Column 15 Line 44–47); transferring the information to a logical node 1502; using the information to handle and move the at least one physical object according to handling and moving of packets in a telecommunication protocol (Column 22 Line 1–8); and transferring by the logical node 1502 of the decision to at least one of the sending station 102b and the at least one physical router 140b (Column 30 Line 24–34). Jorgensen, however, does not teach using at least one interior gateway routing protocol. Doshi teaches using at least one interior gateway routing protocol (Column 9 Line 3–37). It would have been obvious to one skilled in the art to modify Jorgensen to use interior gateway routing protocol as taught by Doshi in order to determine routing in a domain (Column 9 Line 19–20).

In regarding to claim 14, Doshi teaches an open shortest path first protocol used (Column 9 Line 19).

In regarding to claim 20, Doshi teaches a multiprotocol label switching used (Column 9 Line 55–56).

6. Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jorgensen in view of Penners et al. (US Patent 5,793,762).

In regarding to claim 21, Jorgensen teaches a method of transporting physical objects comprising: transporting at least one physical object from a sending station 102b to a receiving station 110c (Column 32 Line 56–57); wherein the transport occurs through at least one physical router 140b; executing a decision about further parameters of transport to at least one of another physical router 140c and the receiving station (Column 47 Line 8–11); generating information for handling and moving the physical object (Column 15 Line 44–47); transferring the information to a logical node 1502; using the information to handle and move the at least one physical object according to handling and moving of packets in a telecommunication protocol (Column 22 Line 1–8); and transferring by the logical node 1502 of the decision to at least one of the sending station 102b and the at least one physical router 140b (Column 30 Line 24–34). Jorgensen, however, does not teach at least one site creating at least one home agent for a communication with at least one other site. Penners teaches at least one site creating at least one home agent 50 for a communication with at least one other site. It would have been obvious to one skilled in the art to modify Jorgensen to create at least one home

agent 50 for a communication with at least one other site as taught by Penners in order to keep track of mobile host (Column 7 Line 28–30).

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following patents are cited to further show the state of the art with respect to the network in general.

U.S. Patent 6,418,139 to Akhtar

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clemence Han whose telephone number is (703) 305-0372. The examiner can normally be reached on Monday-Friday 8 to 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu can be reached on (703) 308-6602. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

C. H.

Clemence Han
Examiner
Art Unit 2665

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